

## Message Text

CONFIDENTIAL

PAGE 01 STATE 143113  
ORIGIN AF-10

INFO OCT-01 ISO-00 ONY-00 SS-15 /026 R

DRAFTED BY AF/W:SFPATRICK/MPH  
APPROVED BY AF/W:TWMSMITH  
AF/I:LGSBURTLEFF  
DESIRED DISTRIBUTION  
AF ONLY

-----019408 210006Z /21

P R 202140Z JUN 77  
FM SECSTATE WASHDC  
TO AMEMBASSY LAGOS PRIORITY  
INFO AMCONSUL IBADAN  
AMCONSUL KADUNA

C O N F I D E N T I A L STATE 143113

E.O. 11652: GDS

TAGS: SHUM, NI

SUBJECT: HUMAN RIGHTS - NIGERIA ACTION PLAN

REF: STATE 139160

1. THE GEOGRAPHIC BUREAUS HAVE BEEN TASKED TO PREPARE HUMAN RIGHTS EVALUATION REPORTS INCLUDING AN ASSESSMENT OF THE CURRENT CONDITION OF HUMAN RIGHTS IN EACH COUNTRY AND THE PROPOSED OBJECTIVES AND RECOMMENDATIONS FOR IMPROVING THOSE CONDITIONS.

2. THIS CABLE TRANSMITS THE DESK'S DRAFT REPORT FOR YOUR COMMENTS. YOUR RESPONSE IS REQUESTED BY JUNE 28 SO THAT THE BUREAU CAN MEET THE SUBMISSION DATE OF JULY 1.

3. THE INFORMATION CONTAINED IN THE COUNTRY EVALUATION  
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 STATE 143113

WILL BE CLASSIFIED IN ACCORDANCE WITH EXECUTIVE ORDER 11652. REPORTS WILL BE USED AS SOURCE MATERIAL FOR THE PREPARATION OF ANNUAL HUMAN RIGHTS REPORTS ON ALL COUNTRIES WHICH ARE RECIPIENTS OF US SECURITY ASSISTANCE, AND WILL BE SUBMITTED TO THE DEPARTMENT'S HUMAN RIGHTS COORDINATING COMMITTEE, CHAIRED BY THE DEPUTY SECRETARY.

4. A. CONDITION OF HUMAN RIGHTS IN NIGERIA.

INDEPENDENT SINCE 1960, NIGERIA INITIALLY HAD A CONSTITUTION WHICH PROVIDED FOR A PARLIAMENTARY FORM OF GOVERNMENT, AND AFTER 1963 FOR A REPUBLICAN FORM OF GOVERNMENT. A MILITARY COUP BROUGHT THE FEDERAL MILITARY GOVERNMENT (FMG) TO POWER IN 1966. AFTER THE 1967-70 CIVIL WAR, AMNESTY WAS EXTENDED TO ALL BUT A FEW SECESSIONIST LEADERS, AND NIGERIA ACHIEVED NOTEWORTHY SUCCESS IN BRINGING ABOUT INTERNAL RECONCILIATION AND THE REINTEGRATION OF SECESSIONIST ELEMENTS. ON JULY 29, 1975, A BLOODLESS COUP RESULTED IN A CHANGE OF GOVERNMENT LEADERSHIP. ON FEBRUARY 13, 1976, THE HEAD OF STATE WAS ASSASSINATED IN AN ABORTED COUP.

CHAPTER III OF THE 1963 CONSTITUTION CONTAINS BROAD HUMAN RIGHTS GUARANTEES WHICH GENERALLY REMAIN IN FORCE. FROM TIME TO TIME, HOWEVER, FMG DECREES CIRCUMSCRIBE SOME RIGHTS. A TEN-YEAR-OLD STATE OF EMERGENCY REMAINS IN FORCE THOUGH MANY OF ITS PROVISIONS APPEAR TO BE HELD IN ABEYANCE.

(1) RESPECT FOR THE INTEGRITY OF THE PERSON:

INTEGRITY OF THE PERSON IS GENERALLY OBSERVED, ALTHOUGH EXCEPTIONS TO THIS RULE CAN OCCUR WITH RESPECT TO THE CONFIDENTIAL

CONFIDENTIAL

PAGE 03 STATE 143113

SECURITY OF THE PERSON. FREEDOM FROM TORTURE, CRUEL, INHUMAN OR DEGRADING PUNISHMENT, AND ARBITRARY ARREST OR IMPRISONMENT, IS OBSERVED. ARMED ROBBERS ARE EXECUTED IN PUBLIC, AND THOSE ADJUDGED BY A MILITARY TRIBUNAL GUILTY OF COMPLICITY IN THE FEBRUARY 1976 COUP ATTEMPT WERE SUBSEQUENTLY PUBLICLY SHOT. HOWEVER, DEATH SENTENCES IMPOSED BY CIVILIAN COURTS NORMALLY ARE CARRIED OUT BEHIND CLOSED DOORS. FAIR PUBLIC TRIALS APPEAR TO BE GENERALLY AVAILABLE, AS MODIFIED BY DECREE UNDER THE STATE OF EMERGENCY PROVISIONS.

(2) RESPECT FOR CIVIL AND POLITICAL LIBERTIES:

CIVIL LIBERTIES SUCH AS FREEDOM OF THOUGHT, RELIGION, ASSEMBLY, FREEDOM OF MOVEMENT WITHIN THE COUNTRY, FOREIGN TRAVEL AND EMIGRATION ARE GENERALLY OBSERVED. THERE ARE FEW, IF ANY, RECENT INSTANCES OF CENSORSHIP OF PRINT OR BROADCAST MEDIA IN NIGERIA, WHETHER OF FOREIGN OR DOMESTIC ORIGIN. ALL TV AND RADIO BROADCAST ORGANIZATIONS ARE NOW WHOLLY OWNED BY THE GOVERNMENT, AND ONLY TWO NEWSPAPERS REMAIN INDEPENDENTLY OWNED.

THERE IS A TEMPORARY BAN ON POLITICAL PARTIES AND NATIONAL POLITICAL ACTIVITY. RETURN TO CIVILIAN RULE HAS BEEN PROMISED BY OCTOBER 1, 1979, AND THE FMG APPEARS DETERMINED

TO MAINTAIN ITS ANNOUNCED SCHEDULE TO ACHIEVE THAT GOAL. NONPARTISAN LOCAL GOVERNMENT ELECTIONS WERE HELD DECEMBER, 1976, AND A CONSTITUENT ASSEMBLY IS SCHEDULED TO BEGIN MEETING IN OCTOBER, 1977, TO ADOPT A NEW CONSTITUTION.

(3) RECENT TRENDS IN GOVERNMENTAL POLICIES RELATING TO THE FULFILLMENT OF BASIC NEEDS FOR FOOD, SHELTER, HEALTH CARE AND EDUCATION:

THE FMG HAS TAKEN POSITIVE STEPS TO DEVELOP AND IMPLEMENT  
CONFIDENTIAL

CONFIDENTIAL

PAGE 04 STATE 143113

PROGRAMS AND SOUGHT ASSISTANCE OF FOREIGN GOVERNMENTS TO FULFILL BASIC NEEDS FOR FOOD, SHELTER, IMPROVED HEALTH CARE, AND EDUCATION. A PRIMARY GOAL OF THE 1975-80 DEVELOPMENT PLAN AND THE CURRENT ANNUAL BUDGET IS TO ACCELERATE ECONOMIC GROWTH AND IMPROVE THE LIVING CONDITIONS OF THE POOR. THE GOVERNMENT CONSISTENTLY CONDEMNS CORRUPTION AND HAS TAKEN LEGAL ACTIONS TO DISCOURAGE ITS OCCURRENCE.

(4) LEVEL OF GOVERNMENT RESPONSIBILITY FOR THE FOREGOING HUMAN RIGHTS RECORD:

THE FMG GENERALLY OBSERVES RIGHTS AND FREEDOMS OF THE UNIVERSAL DECLARATION OF HUMAN RIGHTS. POLITICAL ARRESTS AND DETENTIONS MAY TAKE PLACE UNDER THE STATE OF EMERGENCY PROVISIONS, AS AMENDED BY DECREE. HOWEVER, USE OF THESE POWERS IS GENERALLY IN ABEYANCE AT PRESENT. IN THE AFTERMATH OF THE FEBRUARY 1976 COUP ATTEMPT AND TRIALS CONDUCTED BY A MILITARY TRIBUNAL, 39 PEOPLE WERE EXECUTED BY A FIRING SQUAD, 12 WERE SENTENCED TO LIFE IMPRISONMENT, AND 3 WERE GIVEN LESSER SENTENCES, AND 56 RELEASED FOR LACK OF EVIDENCE. A NATIONAL SECURITY ORGANIZATION WAS ALSO CREATED AND GIVEN WIDE-RANGING INVESTIGATIVE POWERS. THE FEAR OF DOMESTIC AND EXTERNAL THREATS TO SECURITY WAS VERY REAL WITHIN THE RULING SUPREME MILITARY COUNCIL AT NSO'S INCEPTION, AND ITS ACTIONS ARE NOT SUBJECT TO APPEAL BEFORE A JUDICIAL BODY.

FREEDOM OF PROPERTY IS GENERALLY OBSERVED, THOUGH THE GOVERNMENT RECENTLY "ACQUIRED" THE PROPERTY OF A PROMINENT NIGERIAN CITIZEN, WITHOUT MENTION OF COMPENSATION OR NEED FOR CONSENT OF THE PROPERTY HOLDER TO THE PROPOSED ACQUISITION.

CONFIDENTIAL

CONFIDENTIAL

PAGE 05 STATE 143113

(5) THE FMG HAS IN THE PAST OFFERED NO PUBLIC REACTION TO CLAIMS OF ALLEGED HUMAN RIGHTS VIOLATIONS IN NIGERIA. IT IS LIKELY THAT OUTSIDE INVESTIGATION OF ANY SUCH CLAIMS WOULD NOT BE PERMITTED.

5. B. ANALYSIS AND RECOMMENDATIONS.

(1) OBJECTIVES AND ACTIONS.

A) NEXT THREE MONTHS - DISCUSS USG COMMITMENT TO HUMAN RIGHTS AND SPEECHES BY THE PRESIDENT AND SECRETARY OF STATE WITH APPROPRIATE FMG OFFICIALS. STRESS IMPORTANCE USG ATTRIBUTES TO HUMAN RIGHTS CONDITIONS IN COUNTRIES WITH WHOM WE CARRY ON RELATIONS. REACTION TO DATE OF FMG OFFICIALS TO OFFICIAL USG PRONOUNCEMENTS ON HUMAN RIGHTS HAS BEEN QUITE FAVORABLE.

B) NEXT SIX MONTHS: THE FMG DOES NOT RECEIVE ANY CONCESSIONAL AID, ECONOMIC OR MILITARY, FROM THE US, SO US LEVERAGE WITH THE FMG IS MINIMAL. THROUGH QUIET DIPLOMACY, HOWEVER, THE US CAN ENCOURAGE TO FMG TO MEET ITS COMMITMENT TO ALLOW RESUMPTION OF NATIONAL POLITICAL ACTIVITY AND A RETURN TO CIVILIAN RULE.

C) NEXT YEAR - TO ENCOURAGE INCREASED ECONOMIC DEVELOPMENT AND MORE OPEN POLITICAL DEVELOPMENT, WE SHOULD CONTINUE AN ALREADY AGGRESSIVE TRADE PROMOTION POLICY, AND SINGLE OUT FUTURE NATIONAL LEADERS FOR EXPOSURE AND TRAINING IN THE US UNDER THE AUSPICES OF OUR CULTURAL PROGRAMS.

(2) ANTICIPATED REACTION IN NIGERIA.

WE WOULD EXPECT THAT REACTION TO US HUMAN RIGHTS POLICIES AND EMBASSY ACTIONS OUTLINED ABOVE WOULD BE UNIFORMLY CONFIDENTIAL

CONFIDENTIAL

PAGE 06 STATE 143113

FAVORABLE.

(3) EVALUATION OF ANTICIPATED REACTION.

WE WOULD NOT EXPECT ANY NEGATIVE CHANGES IN HUMAN RIGHTS AS A RESULT OF THE ABOVE ACTIONS, AND SOME IMPROVEMENTS IN NIGERIA'S HUMAN RIGHTS SITUATION COULD POSSIBLY RESULT.

(4) A) IMPACT OF US ACTIONS ON OTHER US INTERESTS IN NIGERIA.

AT PRESENT, WE DO NOT BELIEVE NIGERIA'S HUMAN RIGHTS RECORD JUSTIFIES ANY PUNITIVE USG ACTIONS.

B) LIKELIHOOD OF SUPPORT FROM FMG FOR US EFFORTS TO PROMOTE HUMAN RIGHTS.

NIGERIA WOULD BE LIKELY TO SUPPORT US EFFORTS TO PROMOTE HUMAN RIGHTS THROUGH GOVERNMENTAL OR NON-GOVERNMENTAL ORGANIZATIONS, PARTICULARLY WHEN SUCH EFFORTS ARE SUPPORTED BY SUCH GROUPS AS THE UN, OAU, NAC, ETC.

VANCE

CONFIDENTIAL

CONFIDENTIAL

PAGE 07 STATE 143113

CONFIDENTIAL

NNN

## Message Attributes

**Automatic Decaptioning:** Z  
**Capture Date:** 01-Jan-1994 12:00:00 am  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** REPORTS, HUMAN RIGHTS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Sent Date:** 20-Jun-1977 12:00:00 am  
**Decaption Date:** 22 May 2009  
**Decaption Note:** 25 YEAR REVIEW  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 22 May 2009  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1977STATE143113  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** SFPATRICK/MPH  
**Enclosure:** n/a  
**Executive Order:** GS  
**Errors:** N/A  
**Expiration:**  
**Film Number:** D770220-0423  
**Format:** TEL  
**From:** STATE  
**Handling Restrictions:**  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1977/newtext/t19770638/aaaabhoh.tel  
**Line Count:** 246  
**Litigation Code IDs:**  
**Litigation Codes:**  
**Litigation History:**  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Message ID:** 0064e779-c288-dd11-92da-001cc4696bcc  
**Office:** ORIGIN AF  
**Original Classification:** CONFIDENTIAL  
**Original Handling Restrictions:** ONLY  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 5  
**Previous Channel Indicators:** n/a  
**Previous Classification:** CONFIDENTIAL  
**Previous Handling Restrictions:** ONLY  
**Reference:** 77 STATE 139160  
**Retention:** 0  
**Review Action:** RELEASED, APPROVED  
**Review Content Flags:**  
**Review Date:** 04-Feb-2005 12:00:00 am  
**Review Event:**  
**Review Exemptions:** n/a  
**Review Media Identifier:**  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**SAS ID:** 2090674  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** HUMAN RIGHTS - NIGERIA ACTION PLAN  
**TAGS:** SHUM, NI  
**To:** LAGOS  
**Type:** TE  
**vdkgvwkey:** odbc://SAS/SAS.dbo.SAS\_Docs/0064e779-c288-dd11-92da-001cc4696bcc  
**Review Markings:**  
Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
22 May 2009  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009